



Neighborhood and Community Development Committee

Standing Committee Meeting Agenda

Monday, June 6, 2016

5:00 PM

Location:

Municipal Office Building
701 N 7th Street
Kansas City, Kansas 66101
5th Floor Conference Room (Suite 515)

Name

Absent

Commissioner Hal Walker, Chair

☐

Commissioner Brian McKiernan

☐

Commissioner Gayle E. Townsend

☐

Commissioner Ann Brandau-Murguia

☐

Commissioner James Walters

☐

- I. Call to Order/Roll Call**
- II. Revisions to June 6, 2016 Agenda**
- III. Approval of standing committee minutes from April 4, 2016.**
- IV. Measurable Goals**
- V. Committee Agenda**

Item No. 1 - ORDINANCE: INSPECTION OF RESIDENTIAL RENTAL DWELLINGS

Synopsis: An ordinance amending the UG rental licensing ordinance to reflect new state statutory restrictions on the UG's ability to periodically inspect residential rental dwellings, submitted by Ryan Haga, Attorney.

Tracking #: 16633

Item No. 2 - COMMUNICATION: LAND BANK APPLICATIONS

Synopsis: Communication requesting consideration of the following Land Bank applications, submitted by Chris Slaughter, Land Bank Manager.

Applications
2756 N. 22nd St. - Bobby Ewing, Yard extension

1218 Ann Ave. - Jessica Zieg, yard extension

1222 Ann Ave. - Jessica Zieg, property acquisition

(Working to put a community garden on these lots for the Nepali community that live in the Waterway neighborhood.)

Transfers from Land Bank

1955 N. 13th St. - Mt. Carmel Church of God in Christ

(Request to go back to the ownership of the church.)

1944 N. 11th St. - Mt. Carmel Redevelopment Corporation, Inc.

1948 N. 11th St. - Mt. Carmel Redevelopment Corporation, Inc.

(Building a single-family home on each lot with HOME funds in partnership with the Community Development Department.)

Land Bank hold agreement with Mt. Carmel Redevelopment Corporation, Inc.

Tracking #: 16631

VI. Public Agenda

VII. Adjourn

**NEIGHBORHOOD AND COMMUNITY DEVELOPMENT
STANDING COMMITTEE MINUTES
Monday, April 4, 2016**

The meeting of the Neighborhood and Community Development Standing Committee was held on Monday, April 4, 2016, at 5:00 p.m., in the 5th Floor Conference Room of the Municipal Office Building. The following members were present: Commissioner Walker, Co-Chairman; Commissioners, Townsend and Murguia. Chairman, McKiernan and Commissioner Walters were absent. The following officials were also in attendance: Gordon Criswell, Assistant County Administrator; Joe Connor, Assistant County Administrator; Melissa Mundt, Assistant County Administrator; Misty Brown, Senior Attorney; Emerick Cross, Commission Liaison; Jason Banks, Assistant to the Mayor/Manager; Chris Slaughter, Land Bank Manager; and Kathy VonAchen, Chief Financial Officer.

Chairman Walker cancelled the meeting due to lack of a quorum.

tpl



Staff Request for Commission Action

Tracking No. 16633

Full Commission Meeting Date: 6/30/16

Committee: Neighborhood & Community Development

Date of Standing Committee Action: 6/6/16

(If none, please explain):

Publication Required: No

<u>Date:</u> 05/25/2016	<u>Contact Name:</u> Ryan Haga, Attorney	<u>Contact Phone:</u> x5075	<u>Contact Email:</u> rhaga@wycokck.org	<u>Department/Division:</u> Legal
<u>Item Description:</u> The UG rental licensing ordinance will amended to reflect new state statutory restrictions on the UG's ability to periodically inspect residential rental dwellings.				
<u>Action Requested:</u> Approve the ordinance.				
<u>Budget Impact: (if applicable)</u> Amount: Source: Included In Budget: Other (explain):				
<u>Attachments List:</u> Ordinance amending Rental Licensing				

Published _____

ORDINANCE NO. _____

An ordinance relating to the protection of the public health, safety and general welfare of the public in occupied rental dwellings by regulating the rental of dwelling units and amending the City's rental license ordinance to reflect new state statutory restrictions on the City's ability to periodically inspect residential rental dwellings.; amending Sections 19-225, 19-234, 19-246, and 19-247.

BE IT ORDAINED BY THE BOARD OF COMMISSIONERS OF THE UNIFIED GOVERNMENT OF WYANDOTTE COUNTY/KANSAS CITY, KANSAS:

Section 1. That the following Sections are hereby amended to read as follows:

Sec. 19-225. - Purpose.

- (a) The purpose of this article is to protect the public health, safety and general welfare of the people of the city in occupied dwellings by recognizing that the offering for rental of dwelling units is a business, classifying and regulating such rentals as a rental housing business, and further including, as beneficial purposes:
 - (1) To protect the character and stability of residential areas;
 - (2) To correct and prevent housing conditions that adversely affect or are likely to adversely affect the life, safety, general welfare and health, including the physical, mental and social well-being of persons occupying dwellings;
 - (3) To enforce minimum standards for heating and sanitary equipment necessary for health and safety;
 - (4) To enforce minimum standards for light and ventilation necessary for health and safety;
 - (5) To prevent the overcrowding of dwellings by enforcing minimum space standards per occupant for each dwelling unit;
 - (6) To enforce minimum standards for the maintenance of existing residential buildings, and to thus prevent slums and blight;
 - (7) To preserve the value of land and buildings throughout the city;
 - (8) To protect the public from increased criminal activity that tends to occur in residential areas that are unstable due to dwellings that are blighted or are substandard.
- (b) It is not the intention of the unified government to intrude upon contractual relationships between tenant and landlord. The unified government does not intend to intervene as an advocate of either party, to act as an arbiter, or to be receptive to complaints from tenant or landlord that are not specifically and clearly relevant to the provisions of this article. In the absence of such relevancy with regard to rental disputes, it is intended that the contracting parties exercise such legal sanctions as are available to them without the intervention of the unified government.
- (c) The public officer shall adopt policies for the use and prioritization of scarce public resources. The policies shall be based upon the following factors and any other factors deemed by the public officer to promote the efficient enforcement of this article:
 - (1) Geographic distribution and concentration of rental dwellings;

- (2) Rental dwellings with delinquent property taxes;
- (3) Property identified by the inspections department as having an excessive number of housing code violations or a history of noncompliance or slow compliance with housing inspection orders;
- (4) Rental dwellings for which no license has been applied.
- (5) Rental dwellings with an excessive number of police calls for drug offenses, prostitution, crimes of force, violence, or disorderly conduct;
- (6) Sale of the equitable interest in a rental dwelling property;
- (7) Complaints received regarding the rental dwelling.

Sec. 19-234. – Rental Dwelling Inspection guidelines.

The public officer shall adopt a policy for inspecting all rental dwellings that conduct an interior and exterior inspection of all rental dwellings that are required to be licensed under this article before a license is issued, and if an interior inspection requested is requested by the rental dwelling's lawful occupant. The public office may also conduct an interior inspection when a rental dwelling 1) has a change in occupancy and 2) before the occupant takes up residence in the rental dwelling. The public officer may conduct exterior inspections as needed for the efficient enforcement of this article.

~~The policy shall contain objectives for the systematic inspection of all rental dwellings and priorities for the use of scarce inspection resources. The guidelines shall be based upon the following factors and any other factors deemed by the public officer to promote an efficient inspections program:~~

- ~~(1) Geographic distribution and concentration of rental dwellings;~~
- ~~(2) Rental dwellings with delinquent property taxes;~~
- ~~(3) Property identified by the inspections department as having an excessive number of housing code violations or a history of noncompliance or slow compliance with housing inspection orders;~~
- ~~(4) Rental dwellings for which no license has been applied.~~
- ~~(5) Rental dwellings with an excessive number of police calls for drug offenses, prostitution, crimes of force, violence, or disorderly conduct;~~
- ~~(6) Sale of the equitable interest in a rental dwelling property;~~
- ~~(7) Complaints received regarding the rental dwelling.~~

Sec. 19-246. - Duties of licensee.

Every holder of a rental dwelling license shall:

- (1) Promptly notify the license administrator or his designee in writing of any change of information contained in the last license application filed.
- (2) Maintain a current register of all tenants and other persons with a lawful right of occupancy to a dwelling unit within the building. The register shall be kept current at all times, and the license administrator or his designee shall be promptly notified in writing

of any change in occupancy or the register. The licensee shall designate the person who has possession of the register. The register shall be available for inspection by the public officer or his authorized representatives 30 days after the public officer has caused to be filed a complaint for violations of any applicable ordinance or code relating to property.

- (3) The owner of any dwelling which is required to be licensed by this chapter shall, prior to the time of sale of said dwelling, notify the buyer in writing of all unabated orders or violations issued by the department of inspections pertaining to said dwellings, as well as the requirement of law that said dwelling, upon acquisition by a new owner, must be licensed with the city licensing administrator or his designee. A copy of the notification shall be mailed to the public officer within five days of furnishing the notification to the buyer. If the dwelling is owned by a corporation, an officer of said corporation shall carry out the notification required by this section. If the property is owned by more than one person, a notification by one of the owners shall satisfy this section. For purposes of this section, "time of sale" shall be construed to mean when a written purchase agreement is executed by the buyer or, in the absence of a purchase agreement, upon the execution of any document providing for the conveyance of a dwelling required to be licensed.

Sec. 19-247. – Authorized ~~Right of~~ entry of Dwelling for Inspection.

~~Absent exigent or emergency circumstances, whenever necessary to make authorized to conduct an inspection to enforce any of the provisions of this article, or whenever the public officer or his authorized representative has reasonable cause to believe that there exists in any dwelling which is required to be licensed by this article, any condition or violation which makes such building or premises unsafe, dangerous or hazardous, the public officer or his authorized representative may enter such building or premises conduct such inspections at all reasonable times, to inspect the same or to perform any duty imposed by this article, provided that if such building or premises be occupied, provided that if such building, premises, or dwelling to be inspected is occupied, he shall first present proper credentials and request entry if an interior inspection is authorized. and If such building or premises be premises, or dwelling is unoccupied, he the public officer or his authorized representative shall first provide notice and request entry pursuant to section 19-249. If such entry is refused, the public officer or his authorized representative shall have recourse to every remedy provided by law to secure entry.~~

Section 2. That said original Sections 19-225, 19-234, 19-246, and 19-247 are hereby repealed.

Section 3. This ordinance shall take effect and be in full force from and after its passage, approval, and publication in the Wyandotte Echo.

**PASSED BY THE BOARD OF COMMISSIONERS OF THE UNIFIED
GOVERNMENT OF WYANDOTTE COUNTY/KANSAS CITY, KANSAS,**

THIS _____ DAY OF _____, 2016.

Mark Holland, Mayor/CEO

Attest:

Unified Government Clerk

Approved As To Form:

Ryan Haga, Assistant Counsel



Staff Request for Commission Action

Tracking No. 16631

Full Commission Meeting Date: 6/30/16

Committee: Neighborhood & Community Development

Date of Standing Committee Action: June 6, 2016

(If none, please explain):

Publication Required: No

<u>Date:</u> 05/25/2016	<u>Contact Name:</u> Chris Slaughter, Management Analyst	<u>Contact Phone:</u> x8977	<u>Contact Email:</u> cslaughter@wycokck.org	<u>Department/Division:</u> Land Bank
----------------------------	--	--------------------------------	---	--

Item Description:

The Land Bank Manager respectfully requests that the Neighborhood & Community Development Committee review the proposed packets and forward them to the Land Bank Board of Trustees for final consideration.

Item (1) - Applications (3)

Item (2) - Transfers from Land Bank (1)

Item (3) - Land Bank Hold Agreement

Action Requested:

The Land Bank Manager respectfully requests that the Neighborhood & Community Development Committee approve the above requests and forward them to the Land Bank Board of Trustees for final approval.

Budget Impact: (if applicable)

Amount:

Source:

Included In Budget:

Other (explain):

Attachments List:

Land Bank Applications, Transfers from Land Bank, Land Bank Hold Agreement

WYANDOTTE COUNTY LAND BANK - APPLICATIONS

APPLICANT	APPLICANT ADDRESS	LAND BANK ADDRESS	PROPOSED USE	NOTES
Bobby Ewing	2760 N 22nd St	2756 N 22nd St	Yard Extension	
Jessica Zieg	1214 Ann Ave	1218 Ann Ave	Yard Extension	Working to put a community garden on these lot(s) for the Nepali community that live in the Waterway neighborhood.
Jessica Zieg	1214 Ann Ave	1222 Ann Ave	Property Acquisition	

LAND BANK ADVISORY BOARD RECOMMENDATION	The Advisory Board voted to forward application(s) for final approval
--	--

**PAGE LEFT
BLANK
INTENTIONALLY**

Slaughter, Chris

From: Wufoo <no-reply@wufoo.com>
Sent: Friday, April 22, 2016 9:19 AM
To: Land Bank; info@opportunityspace.org
Subject: Unified Government Land Bank Application [#29]

Name of applicant * Bobby Ewing

Address * 
2760 N 22nd St
Kansas City, KS 66104
United States

Home phone * (913) 777-8150

Property 1 
2756 N 22nd St
Kansas City, KS 66104
United States

Offer price * 150.00

Do you (or your spouse) have any Code No

Enforcement violations? *

Are you (or your spouse) delinquent on any No
licenses or taxes in Wyandotte County? *

Address of property 
2756 N 22ND ST
KansasCity, KS 66104
United States

Property type? * Vacant land

Proposed use of property * Yard Extension.

As the applicant I attest that the information in Yes
this proposal is accurate. I attest that I have
read the Unified Government's Land Bank
policy and agree to the terms and conditions of

it. I understand that the Unified Government
reserves the rights to reject any proposal
without cause. *

Name *

Bobby Ewing

Date *

Friday, April 22, 2016

Slaughter, Chris

From: Wufoo <no-reply@wufoo.com>
Sent: Monday, May 09, 2016 9:36 AM
To: Land Bank; info@opportunityspace.org
Subject: Unified Government Land Bank Application [#30]

Name of applicant * Jessica Zieg

Name of spouse (if applicable) David Rhodes

Address * 
3025 N 51st St
Kansas City, KS 66104
United States

Email jzieg@chiefks.com

Home phone * (785) 640-4173

Property 1 
3025 N 51st St
Kansas City, KS 66104
United States

Property 2 
1214 Ann Ave
Kansas City, KS 66102
United States

Offer price * 500

Do you (or your spouse) have any Code Enforcement violations? * No

Are you (or your spouse) delinquent on any licenses or taxes in Wyandotte County? * No

Address of property 
1218 ANN AVE
KansasCity, KS 66102
United States

Property type? *

Vacant land

Proposed use of property *

Yard Extension.

As the applicant I attest that the information in this proposal is accurate. I attest that I have read the Unified Government's Land Bank policy and agree to the terms and conditions of it. I understand that the Unified Government reserves the rights to reject any proposal without cause. *

Name *

Jessica Zieg

Date *

Monday, May 9, 2016

Slaughter, Chris

From: Wufoo <no-reply@wufoo.com>
Sent: Monday, May 09, 2016 9:39 AM
To: Land Bank; info@opportunityspace.org
Subject: Unified Government Land Bank Application [#31]

Name of applicant * Jessica Zieg

Name of spouse (if applicable) David Rhodes

Address * 
3025 N 51st St
Kansas City, KS 66104
United States

Email jzieg@chiefks.com

Home phone * (785) 640-4173

Property 1 
3025 N 51st St
Kansas City, KS 66104
United States

Property 2 
1214 Ann Ave
Kansas City, KS 66102
United States

Offer price * 500

Do you (or your spouse) have any Code Enforcement violations? * No

Are you (or your spouse) delinquent on any licenses or taxes in Wyandotte County? * No

Address of property 
1222 ANN AVE
KansasCity, KS 66102
United States

Property type? *

Vacant land

Proposed use of property *

Yard Extension.

As the applicant I attest that the information in ☒ Yes
this proposal is accurate. I attest that I have
read the Unified Government's Land Bank
policy and agree to the terms and conditions of
it. I understand that the Unified Government
reserves the rights to reject any proposal
without cause. *

Name *

Jessica Zieg

Date *

Monday, May 9, 2016

TRANSFERS FROM LAND BANK

Recipient	Land Bank Address	Comments
Mt. Carmel Church of God in Christ	1955 N 13th St	Request to go back to the ownership of the church.
Mt. Carmel Redevelopment Corporation, Inc	1944 N 11th St	Building a single family home with HOME funds, in partnership with the Community Development Department.
Mt. Carmel Redevelopment Corporation, Inc	1948 N 11th St	Building a single family home with HOME funds, in partnership with the Community Development Department.

**PAGE LEFT
BLANK
INTENTIONALLY**

AGREEMENT

This Agreement made this ____ day of _____, 2016, between the **Wyandotte County Landbank** (hereinafter “**Landbank**”) and **Mt. Carmel Redevelopment Corporation**, a recognized community development organization, (hereinafter “**Organization**”),

WHEREAS, Landbank has actively assisted Organization by conveying developable Landbank property to the Organization.

WHEREAS, the Organization would benefit by conveying certain properties back to the Landbank, and the Landbank is willing to assist Organization by accepting said conveyances.

NOW, THEREFORE, the parties hereto mutually agree as follows:

1. The Landbank agrees to hold those properties previously conveyed by the Organization to the Landbank.
2. The properties conveyed by the Organization to the Landbank are listed in Exhibit “A,” attached hereto.
3. The Organization agrees the Landbank shall not be held liable for any issues of title or perceived issues of title of any of the properties arising from, pursuant to, or concurrent with the operation of this agreement.
4. Organization agrees to indemnify and hold harmless the Unified Government of Wyandotte County/Kansas City, Kansas, the Wyandotte County Land Bank, their respective Board of Commissioners and Land Bank Board of Trustees, and their administrators, agents and employees from any and all liability in regard to any claim for property damage and/or bodily injury to anyone or anything caused by actions or omissions of Organization while the properties were in the Organization’s possession.
5. The exclusive option is subject to the following conditions:
 - a. The exclusive option is for a term of three (3) years from the date of this Agreement.
 - b. The exclusive option may be renewed for two (2) additional one-year terms pursuant to the mutual agreement of the parties.
 - c. The Landbank will consider whether the exclusive option will be renewed as part of the annual review of areas of actively developed properties.
 - d. The Organization can repurchase the properties individually, or in such groups as it deems necessary.
 - e. The exclusive option, with respect to any individual property, terminates automatically if the Organization fails to cure any code or ordinance violation within ten (10) days after written notice is served by the Landbank.

- f. The Organization may exercise the option to repurchase at any time during the exclusive option term.
6. All Landbank policies and procedures apply and are incorporated into this Agreement by reference.
7. All notices given to the Wyandotte County Landbank shall be deemed to have been properly given if addressed to:

Landbank Manager
701 North 7th Street, Suite 421
Kansas City, Kansas 66101

and

Unified Government Legal Department
701 North 7th Street, Suite 961
Kansas City, Kansas 66101

or any other address chosen by the Wyandotte County Landbank and, a) deposited in the United States Mail as certified mail, returned receipt requested, postage prepaid; or b) to be hand-delivered to the above addresses personally or delivered by reputable overnight delivery services.

All notices to be given to Organization shall be deemed to have been properly given if addressed to:

Name: _____

Address: _____

or any other address chosen by Organization and, a) deposited in the United States Mail as certified mail, returned receipt requested, postage prepaid; or b) to be hand-delivered to the above addresses personally or delivered by reputable overnight delivery services.

IN WITNESS WHEREOF, the parties hereto execute this Agreement as of the date and year first above written.

WYANDOTTE COUNTY LANDBANK

By: _____
Chris Slaughter, Landbank Manager

ORGANIZATION

By: _____

Name: _____

Title: _____

Exhibit A

1934	N 11TH ST	1129	RICHMOND AVE
1948 H	N 11TH ST	1229	RICHMOND AVE
1940	N 11TH ST	1933	N VALLEY ST
1936	N 11TH ST	1931	N VALLEY ST
1932	N 11TH ST	1936	N VALLEY ST
1959	N 12TH ST	1934	N VALLEY ST
1957 H	N 12TH ST	1953	N VALLEY ST
1909	N 12TH ST	1951	N VALLEY ST
1848	N 12TH ST	1949	N VALLEY ST
1844	N 12TH ST	1947	N VALLEY ST
1835	N 12TH ST	1945	N VALLEY ST
1905	N 13TH ST	1937	N VALLEY ST
1901	N 13TH ST	1942	N VALLEY ST
1823	N 13TH ST	1944	N VALLEY ST
1925	N 13TH ST	1948	N VALLEY ST
1932	N BETHANY ST	1950	N VALLEY ST
1929	N BETHANY ST	1954	N VALLEY ST
1144 H	GARFIELD AVE	1224	WOOD AVE
1144	GARFIELD AVE	1238	WOOD AVE
1118	GARFIELD AVE		
1106	GARFIELD AVE		
1103	GARFIELD AVE		
1115	GARFIELD AVE		
1133	GARFIELD AVE		
1210	GARFIELD AVE		
1238	GARFIELD AVE		

**PAGE LEFT
BLANK
INTENTIONALLY**